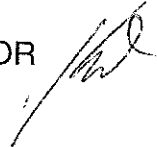


# Staff Report City of Loma Linda

From the Department of Community Development

## PLANNING COMMISSION MEETING OF NOVEMBER 2, 2011

**TO:** PLANNING COMMISSION  
**FROM:** KONRAD BOLOWICH, DIRECTOR  
**SUBJECT:** VARIANCE (VA) NO. 11-139



### SUMMARY

A request for relief from Section 17.34.060 of the Loma Linda Municipal Code (LLMC) which requires a minimum of 15 feet for rear yard setbacks. The project proposes to construct a therapy pool enclosure that encroaches eight feet into the required rear setback area. The project site is located at 11782 Kelsey Court in a Single-Family Residence (R-1) Zone.

### RECOMMENDATION

The recommendation is that the Planning Commission approve VA No. 11-139 based on the Findings.

### PERTINENT DATA

Property Owner/Applicant:	Conny Tirtaman
General Plan/Zoning:	Low Density Residential/Single-Family Residence (R-1)
Site:	8,600 square-foot developed lot
Topography:	Graded street level lot
Vegetation:	Mature landscaping

### BACKGROUND AND EXISTING SETTING

#### Background

On October 5, 2011, the applicants submitted an application for the above referenced project. On October 13, 2011 the Administrative Review Committee (ARC) reviewed the

project and deemed it complete for processing pursuant to the California Permit Streamlining Act.

### **Existing Setting**

The 8,600 square-foot lot is located south of George Avenue, east of Bryn Mawr in a low density residential land use area. The neighborhood is comprised of existing single-family lots which are part of Tract 16650. The tract was developed in the mid 2000's and the architecture of the existing house is indicative of contemporary styling of that time.

### **CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) STATUS**

Pursuant to Section 15301(e)(1) of the CEQA Guidelines, the project is eligible for a Class 1 Categorical Exemption, which allows additions to existing structures provided that the addition will not result in an increase of more than 50 percent of the floor area of the structure prior to the addition, or 2,500 square feet, whichever is less.

### **Public Comments**

Public notice for this project was posted and mailed to parcel owners and occupants within 300 feet of the project site on October 20, 2011. As of the writing of this report, there have been no written or oral comments received in opposition or in favor of the proposal.

### **ANALYSIS**

#### **Project Description**

The project is a request to add a 950 square foot enclosed patio to an existing 3,500 square-foot single-family residence. The new construction will enclose a 400 square-foot therapy pool. The enclosure will take place at the western portion of the building adjacent to the rear and side yard area. The scope of work for the addition will not go beyond the existing rear property line, however, the patio structure will result in a eight-foot encroachment into the required rear set back. The related variance request is seeking relief from the residential code that requires a minimum of 15 feet of rear yard set back.

#### **Site Analysis**

The Single-Family Residence (R-1) Zone requires a minimum 25 foot front-yard setback with a minimum separation of five and 15 feet on the side yards and 15 to the rear of the property. As previously stated, the existing residence was constructed in the mid 2000's and was designed to meet the City's development standards. However, the overall design resulted in a very limited side and rear yard area.

Access to the project site is via driveway off of Kelsey Court. Interior access is through the traditional front entry as well as the garage. The therapy pool can be accessed from the rear of the house and the enclosure will secure access into the pool area.

### **Architecture Analysis**

The proposed addition would incorporate architectural elements such as a gabled roof, earth toned stucco walls and trim that would blend with the existing structure and the other properties in the area. As proposed, the building exhibits a contemporary style consistent with neo Spanish Colonial residential construction. The vertical height of the addition will not exceed height of the main structure.

### **Variance Findings**

1. *That there are exceptional and extraordinary circumstances of conditions applicable to the property involved.*

The existing lot of record is located in an area of the City where new smaller lot tracts were developed. The size and layout of the property make it difficult to construct proposed enclosure. The enclosure will allow the use of the therapy pool year round.

2. *That such variance is necessary for the preservation and enjoyment of the substantial property right possessed by other property in the same vicinity and zone and denied to the property in question.*

The surrounding neighborhood (outside Tract 16650) was constructed on lots that are larger. The proposed variance would allow the subject property to enjoy the same property rights possessed by other properties in the neighborhood which include the right to expand living area.

3. *That the granting of such a variance will not be materially detrimental to the public welfare or injurious to the property or improvements in such vicinity and zone in which the property is located.*

The proposed relief from Sections 17.34.060 of the LLMC will not be detrimental to the public welfare or injurious to property and improvements in that the proposed enclosure will remain on the subject site. Approval of the variance will limit the amount of construction on an already constrained lot. The construction will be subject to the necessary building code requirements to ensure compatibility and safety.

4. *The granting of such variances will be consistent with the general plan for the city.*

The variance request to accommodate a set back relief from Sections 17.34.060 of the LLMC for minimum rear yard requirements facilitates Policy No. 1.2 of the

General Plan Housing Element (Chapter 5.0), which identifies the necessity to ensure the supply of safe, decent, and sound housing for all residents. The granting of the variance will allow the applicant to safely enclose a pool area that would otherwise be exposed to the elements and the public.

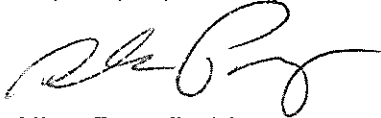
5. *That a public hearing was held wherein the applicant is heard and in which he substantiates all of the conditions cited in this subsection.*

The variance request is scheduled for review on the November 2, 2011 Planning Commission Meeting. The conditions to the project are included as Attachment C to this report.

## CONCLUSION

Staff recommends approval of the project because it is consistent with the General Plan and the findings can be made to support the approval of the variance request. The project will maintain the existing land use and is compatible with the future uses in the surrounding area.

Report prepared by:



Allan Penaflorida  
Assistant Planner

## ATTACHMENTS

- A. Vicinity Map
- B. Project Plans
- C. Conditions of Approval

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